THE HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.3135 of 1992

Dated this the 9th day of December, 2005

Between:

M.R.K. Polytechnic Employees Welfare Association,

Represented by its Secretary, T. Venkateswara Rao,

S/o. Sarveswara Rao, age 30 years.

…. **Petitioner**

and

The Government of Andhra Pradesh,

represented by its Secretary, Education Department,

Secretariat buildings, Hyderabad,

and two others

…. **Respondents**

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ORDER:

The petitioner approached this Court through this writ petition seeking to declare the action of the respondents in not implementing the order of the Government in G.O.Ms.No.288 Finance and Planning (Finance Wing PRC-1) Department dated 17-11-1986, while implementing the revised pay scales to the employees of the third

respondent-Polytechnic as illegal and arbitrary.

The petitioner, which is an employees of association, contended that the Government appointed a Pay Revision Commission for revision of pay scales of the employees including the employees of the private polytechnics, through G.O.Ms.No.208, dated 10-05-1985. Subsequently, the Government granted interim relief to all the employees including the employees of the private polytechnics, through the order dated 21-02-1995. The third respondent-institution implemented the order regarding the interim relief and paid the same to the entire staff. Subsequently, revised pay scales were also implemented by all the polytechnics, but the third respondent did not implement the revised pay scales on the basis of the recommendation of an expert committee. The Government of Andhra Pradesh, through G.O.Ms.No.251 dated 03-10-1990, allowed the private polytechnics to levy and collect Rs.5,750/- from each student towards tuition fee with effect from the academic year 1990-91 and also imposed some conditions on private polytechnics. As per condition No.1, every institution has to pay to both teaching and non teaching staff revised pay scales of 1986 and H.R.A., D.A., C.C.A., as applicable to State Government Employees in all the polytechnics.

The third respondent did not implement the revised pay scales with effect from 01-07-1986, but decided to implement the same with effect from 01-08-1990. Subsequently, there was a memorandum of understanding between the employees and the Management for implementation of the revised pay scales with effect from 01-08-1990 and in pursuance of that the employees expressed their willingness to forego the claim regarding the difference of monetary benefits in pursuance of the implementation of the revised pay scales.

In the light of the understanding between the parties regarding the claim for arrears of the amount due on account of revised pay scales, the petitioner-association is not entitled to express any grievance in that regard and cannot maintain the writ petition.

In the light of the above circumstances, the writ petition is dismissed as devoid of merits. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 09-12-2005

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